

**AGENDA  
ZONING COMMITTEE  
OF THE SAINT PAUL PLANNING COMMISSION  
Thursday, May 27, 2010 3:30 P.M.  
City Council Chambers  
Third Floor City Hall - Saint Paul, Minnesota**

**NOTE:** The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

**APPROVAL OF MAY 13, 2010, ZONING COMMITTEE MINUTES**

**SITE PLAN REVIEW** – List of current applications (Tom Beach, 651-266-9086)

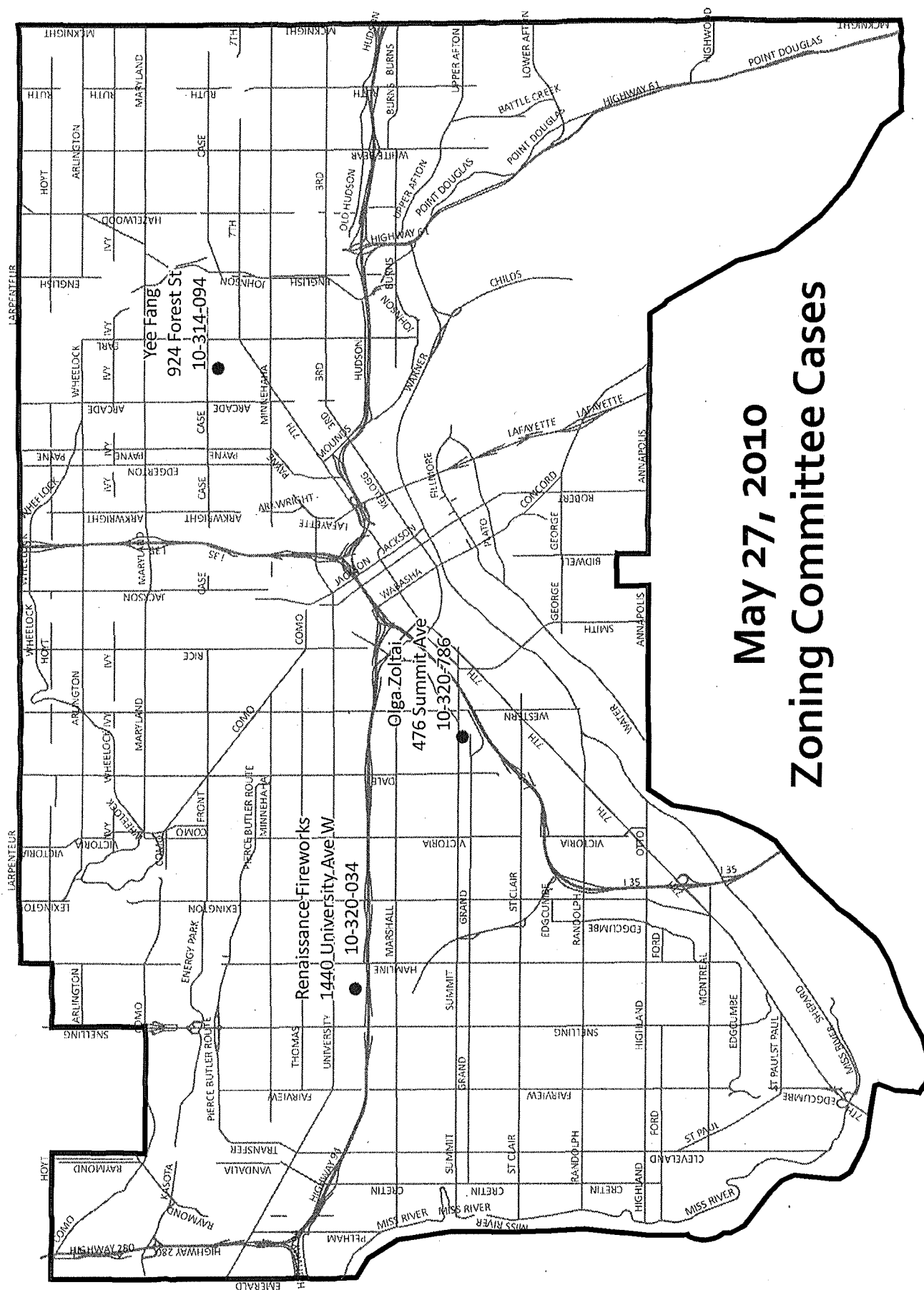
**NEW BUSINESS**

- 1      10-314-094   Yee Fang**  
Re-establishment of nonconforming use as a duplex  
924 Forest St, between Sims and York  
R4  
Luis Pereira    651-266-6591
  
- 2      10-320-786   Olga Zoltai**  
Establishment of legal nonconforming use as 8 residential units: 6 in main building, 2 in carriage house  
476 Summit Ave, SW corner at Lawton  
RT2  
Merritt Clapp-Smith    651-266-6547
  
- 3      10-320-034   Renaissance Fireworks**  
Conditional use permit for outdoor seasonal sales of fireworks  
1440 University Ave W, west side between University and St. Anthony  
B2  
Patricia James          651-266-6639

**ADJOURNMENT**

**ZONING COMMITTEE MEMBERS:** Call Allan Torstenson at 266-6579 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

**APPLICANT:** You or your designated representative must attend this meeting to answer any questions that the committee may have.



# May 27, 2010

## Zoning Committee Cases

## ZONING COMMITTEE STAFF REPORT

1. **FILE NAME:** Yee Fang **FILE #** 10-314-094
  2. **APPLICANT:** Yee Fang **HEARING DATE:** May 27, 2010
  3. **TYPE OF APPLICATION:** Re-establishment of a Nonconforming Use Permit
  4. **LOCATION:** 924 Forest St, between Sims and York
  5. **PIN & LEGAL DESCRIPTION:** 282922310111; Auditors Subdivision No 7 Lot 10 Blk 3
  6. **PLANNING DISTRICT:** 5
  7. **ZONING CODE REFERENCE:** §62.109(d) **PRESENT ZONING:** R4
  8. **STAFF REPORT DATE:** May 27, 2010 **BY:** Luis Pereira
  9. **DATE RECEIVED:** April 27, 2010 **60-DAY DEADLINE FOR ACTION:** June 26, 2010
- 

- A. **PURPOSE:** Re-establishment of nonconforming use as a duplex.
- B. **PARCEL SIZE:** 6,600 sq. ft. (0.15 acres) (50 feet wide by 132 feet deep)
- C. **EXISTING LAND USE:** Duplex (R4)
- D. **SURROUNDING LAND USE:**
  - North: Duplex (R4)
  - East: Single Family Detached Home (R4)
  - South: Duplex (R4)
  - West: Single Family Detached Home (RT1)
- E. **ZONING CODE CITATION:** §62.109(d) lists the conditions under which the Planning Commission may grant a permit to re-establish a nonconforming use.
- F. **HISTORY/DISCUSSION:** County tax records indicate that the property was built in 1889. A PED Zoning Map from the 1970s shows this property as a duplex. DSI records also indicate this property has been a duplex for the past 10 years, a period over which it had multiple owners. On November 15, 2001, the property was first put on the City's Vacant Building List as a duplex. On January 15, 2004, the property received a rental registration as a duplex. A Truth in Sale of Housing (TISH) report from April 8, 2004 again identifies the property as a duplex. A series of complaints followed over the next several years about inadequate trash removal, snow removal, and tall grass/weeds. A TISH report from December 15, 2006 again identifies the property as a duplex. A Certificate of Occupancy was approved for the property on March 3, 2007 for two units. Numerous complaints about the property followed. On June 2, 2008, gas/electric utilities were shut off for unit 1. The property returned to the City's Registered Vacant Building List on June 9, 2008, as a Category 2 duplex; the owner at this time was listed as "R And J Enterprises Trustee/Forest 24 Trust." In January 2009, a Parks summary abatement record shows the need for the removal of snow and ice from the front walk, the listed owner at this time was Deutsche Bank Nat Trust Co. A Code Compliance Report was requested by the listed owner on February 26, 2009 – "MN REO Property Maintenance" – and sent on March 19, 2009. Complaints about tall grass/weeds in August 2009 and inadequate snow removal followed in December 2009 before the property was purchased by the applicant in 2010.
- G. **DISTRICT COUNCIL RECOMMENDATION:** The Payne Phalen District 5 Planning Council had not provided a written recommendation on this application when the staff report was composed.
- H. **FINDINGS:**
  1. The applicant/owner states he purchased the property on February 24, 2010 as a duplex, and it was marketed as a duplex. Floor plans submitted by the applicant show two bedrooms and one bathroom on the first floor, and three bedrooms, 1 bath on the 2<sup>nd</sup> floor. Each unit also has a living room and kitchen, and the building has two separate gas, electrical meters, and furnaces.
  3. A Code Compliance Report, dated March 19, 2009 identifies building maintenance items

including window replacements and siding repairs, as well as necessary electrical, plumbing, and heating system corrections. The Code Compliance Report is now expired.

2. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
  - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is not met. The Pro Forma Information Sheet for Duplex Conversion Cases submitted by the applicant does not indicate the cost of rehabilitation work to be performed on the property (for either the single family or duplex use). The applicant states that if the building remains a duplex, it will be affordable to bring the building up to Code (including heating, plumbing, electrical, and general building repair), and no remodeling work would be needed. If required to convert to a single family use, the applicant states that disconnecting/removing systems associated with a second unit in the building would cost thousands of dollars. However, DSI records also contain a Residential Use Affidavit signed by the applicant on February 10, 2010 that indicates the property was purchased with the understanding that it would need to be converted to a single family dwelling. The affidavit includes a note written by DSI staff on February 17, 2010 that the property is currently a duplex but that its de-conversion to single family use would be verified during a field inspection.
  - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.* This finding is met, as the proposed duplex use is the same as the property's current duplex use.
  - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met if a new Code Compliance Report is requested and generated and the repair items that are identified in the report are performed.
  - (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. The property falls within the Comprehensive Plan's Residential Corridor designation on the Generalized Future Land Use Map, which supports residential uses between 4 and 30 dwelling units per acre. The proposed duplex use on this property has a density of approximately 1:3 units per acre. The applicant also points to the presence of only one single family detached home on this block (930 Forest) between Sims Ave, Forest, and Duchess Streets as support for this property's use as a duplex (Metropolitan Council 2005 land use maps shows three duplexes, two multifamily buildings, and an undeveloped parcel on this block, but more recent County tax records show 930 Forest St. as a single family dwelling).
  - (5) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on April 29, 2010: 10 parcels eligible; 7 parcels required; 7 parcels signed.
3. The Planning Commission has established guidelines for applications to establish legal nonconforming use status for duplexes. While not themselves requirements, these guidelines lay out additional more objective factors the Planning Commission wishes to consider in determining if the required findings for granting nonconforming use permits listed in §62.109 of the Zoning Code can be made. The Planning Commission's Duplex Conversion Guidelines state that for applications for nonconforming use permits for duplexes in residential districts, staff will recommend denial unless the following guidelines are met:

*A. Lot size of at least 5,000 square feet with a lot width or front footage of 40 feet. This guideline is met, as the lot is 6,600 square feet in size, and has a front footage of approximately 50 feet.*

*B. Gross living area, after completion of duplex conversion, of at least 1,500 square feet. Neither unit shall be smaller than 500 square feet. This guideline is met. The floor plan for unit 1 shows 781 square feet of floor area, not including the entrance area or rear landing area. The floor plan for unit 2 shows 862.9 square feet of floor area, not including the front door or back door landing areas. The total gross living area of the two units exceeds 1,500 square feet (a total of 1,643.9 square feet, not including entrance area or landing areas).*

*C. Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum. This guideline is met if three off-street parking spaces are provided – as shown to access Duchess Street on the submitted "site plan for parking." The applicant states that currently there are two existing off-street spaces to the rear of the house located off of Duchess, but he can provide one additional space.*

*D. All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle.) This guideline is met, as no items identified in the Code Compliance Report would result in the physical alteration of the structure that is visible from the exterior.*

*E. For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution. This guideline is met if a new Code Compliance Report is requested and performed and the applicant makes the identified corrections to the property.*

*The application for the permit shall include the petition, a site plan meeting the requirements of section 61.401, floor plans, and other information as required to substantiate the permit. This finding is met.*

- I. **STAFF RECOMMENDATION:** Based on the finding # 2(1) above, staff recommends denial of the re-establishment of nonconforming use as a duplex.



**NONCONFORMING USE PERMIT APPLICATION**  
Department of Planning and Economic Development  
Zoning Section  
1400 City Hall Annex  
25 West Fourth Street  
Saint Paul, MN 55102-1634  
(651) 266-6589

Zoning Office Use Only

File #: 10-314284

Fee: 650

Tentative Hearing Date: 5-27-10

PD-5

# 282922310111

**APPLICANT**

**RECEIVED**

APR - 6 2010

Name Yee Fang

Address 957 Reaney Ave

City ST Paul St. Mn Zip 55106

(651) 771-8954 (715)  
Daytime Phone 379-5114

Name of Owner (if different) \_\_\_\_\_

Contact Person (if different) \_\_\_\_\_

Phone \_\_\_\_\_

**PROPERTY LOCATION**

Address/Location 924 Forest St ST Paul mn 55106

Legal Description non conforming Duplex

Current Zoning R4

(attach additional sheet if necessary)

**TYPE OF PERMIT:** Application is hereby made for a Nonconforming Use Permit under provisions of Chapter 62, Section 109 of the Zoning Code:

- The permit is for: ☐ Change from one nonconforming use to another (para. c)  
☒ Re-establishment of a nonconforming use vacant for more than one year (para. e)  
☐ Establishment of legal nonconforming use status for use in existence at least 10 years (para. a)  
☐ Enlargement of a nonconforming use (para. d)

**SUPPORTING INFORMATION:** Supply the information that is applicable to your type of permit.

Present/Past Use non conforming Duplex

Proposed Use non conforming Duplex

Attach additional sheets if necessary

Attachments as required ☐ Site Plan

☒ Consent Petition

☐ Affidavit

Applicant's Signature [Signature]

Date 3/15/10

City Agent [Signature]

4/27/10

Pdd  
4/27/10

CLC  
1049  
650

Re-establishment of nonconforming use for property address:  
924 Forest St  
Saint Paul, Mn 55106

1. The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.

The structure or structure and land in combination is reasonable and economically be used as a nonconforming duplex. This building was listed for sale as a duplex, I bought it on 2/24/10 as a duplex and will keep it as a duplex. The building was built on an oversize lot as legal 2 stories duplex building up and down with 2 bedrooms and 1 bath on 1<sup>st</sup> floor 3 bedrooms and 1 bath on 2<sup>nd</sup> floor. The building has 2 separate gas, 2 separate electrical meters, 2 separate furnaces, 2 separate kitchens and 2 cars parking space on the property.

There are 6 buildings on this parcel. 1<sup>st</sup> building 930 Forest St is a residential, 2<sup>nd</sup> building 924 Forest St is a duplex (propose property). 3rd building 920 Forest St is a duplex, 4<sup>th</sup> building 910 Forest St is an apartment, 5<sup>th</sup> building 902 Forest St is a duplex and the last 6th building of 890 Forest St is an apartment. The rest of the buildings in this neighborhood and adjacent are mix used combination of residential and duplexes. As a new owner of the property I would like to propose to the city of Saint Paul to consider my budget plan to invest into this property for number of reasons :

Disadvantage: Convert to residential I must spent thousands of dollars for licensing contractors to disconnect and remove all equipments which were not required in the building. I may have to spend thousands additional more budget to remodel all floors, bedrooms, kitchens and every thing in the building on top of the city of Saint Paul code compliances.(see code compliances DSI).

As we all know that Minnesota and all over the United State are in recession, jobs are out of touch, economy is getting worst, bad credit and banks are no longer interest to loan money. This duplex is livable condition and it is not a good idea with a tight budget to spent money to convert it to residential unless the building is endanger to public health, safety and general welfare for tenants and neighbors. Furthermore; to convert it to residential may not meet my financial goal to maximizing monthly income that I depend on this investment to generate income for my family. For example rent from this building as residential will be \$1000.00 per month compare to duplex can be \$1600.00 per month.

Advantage: Budget for nonconforming duplex contractors of heating, plumbing, electrical and general repair for the building can be affordable to bring every thing up to code to meet city of Saint Paul code compliances. Nonconforming duplex will not need to do any remodel and modification to the building, because every thing that are needed in the property for duplex already built with the building.

I will save thousands of dollars to do other important projects and reinvest more money to buy foreclosure and vandalism properties in the city of Saint Paul. These properties

will be fixed, cleaned with good maintenance and bring every thing up to code for citizens of this city to enjoy more safely. The investment can be financial sound, generate more business incomes and tax revenues to serve the citizens of Saint Paul for affordable housing to raise families. At the same time I can make more monthly income from these investment properties to support my family financial needed.

2 .The proposed use is equally appropriate or more appropriate to the district that the previous nonconforming use.

Population of Saint Paul has grown to out number the same time with hundreds and hundreds of properties owners were defaulted their mortgage loans and these properties were forced to foreclosure and vandalism due to the real estate market, lost job no income to meet the monthly mortgage payment during this recession. This market is driving housing in demand the same as financial hardship can be found in almost every family household with in the community where we lived. I have seen more and more families were forced into duplex or apartment in order to afford rent payment because budget is limited.

This duplex is on an oversize lot in the area of housing demand and affordable to meet the need of today economy. It has a lot of spaces to meet the need of growing families to raise children and to enjoy for years to come. The parcel of this property was built on has total of 6 buildings on it but only 1 of them is a single residential. This building is more appropriate to re-establishment for nonconforming duplex because it's in the demand area to better serve in today housing need for city of Saint Paul's population.

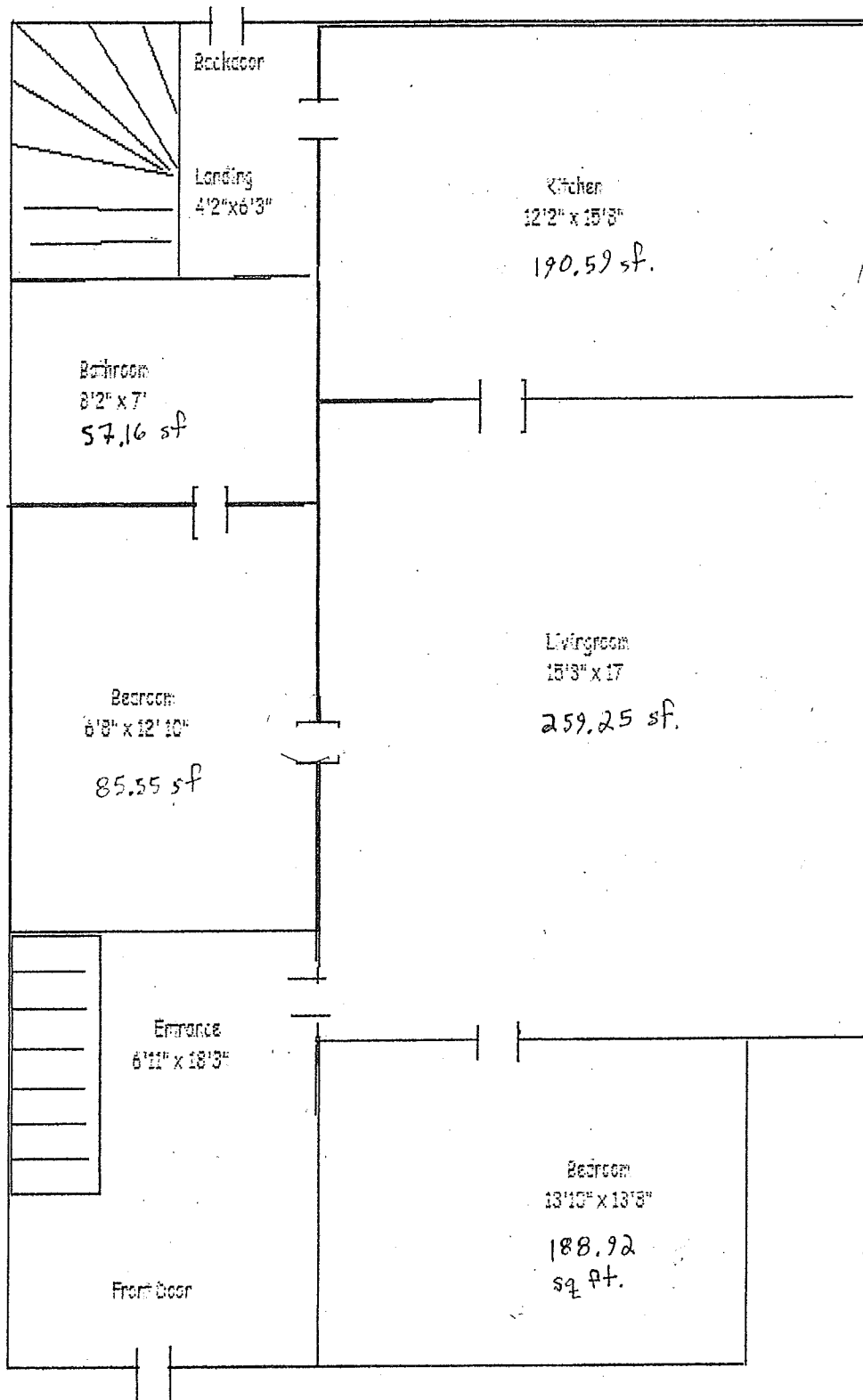
3. The propose use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.

The propose use to re-establishment of nonconforming duplex will not have any immediate effect and cause a significant change to the existing character of development in the neighborhood nor create any health, safety endanger to the public and general welfare because this nonconforming use of duplex has always been a legal duplex since it was built for nearly 100 years ago until I bought it. I found myself very hard to believe that this building may has been in the residential zoning where almost all of these buildings on this parcel are multiple units. This nonconforming duplex has not known to have any health, safety endanger nor significant effect to change the existing character of this neighborhood since the building was built nearly 100 years ago nor in the next 100 years from now.

Therefore; I would like to keep it as duplex with out converting to single residential. Again, this nonconforming duplex is not new to the immediate neighborhood and it has been enjoyed perhaps by hundred or thousand families who lived in this building after it was built nearly 100 years ago. The building has 2 cars parking on the property and I can make 1 additional space in the same area to accommodate for tenant parking.

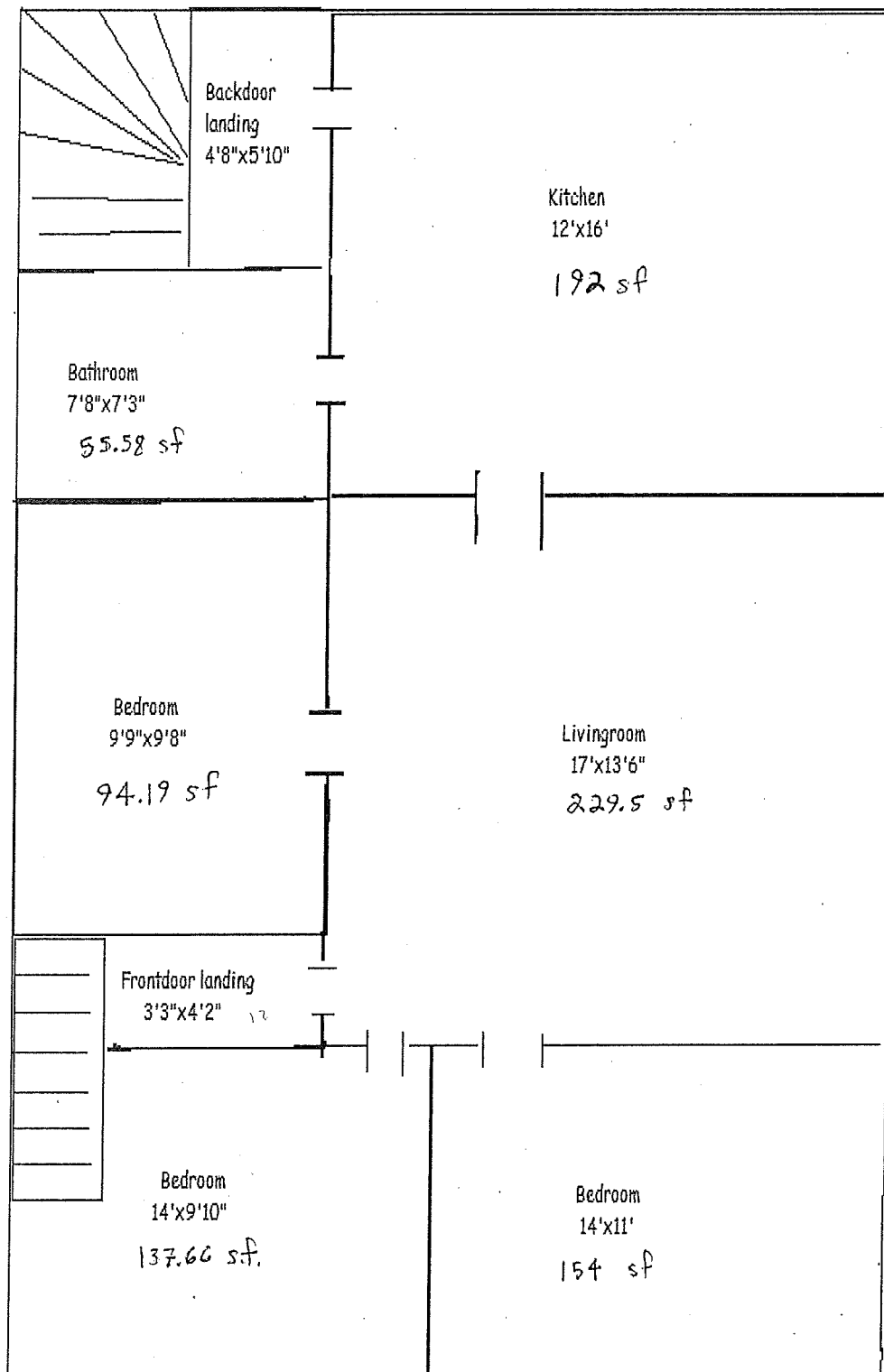
Site plan for additional parking and floor plan of the building are enclosed.





724 Forest Unit 1

Floor Plan unit 1

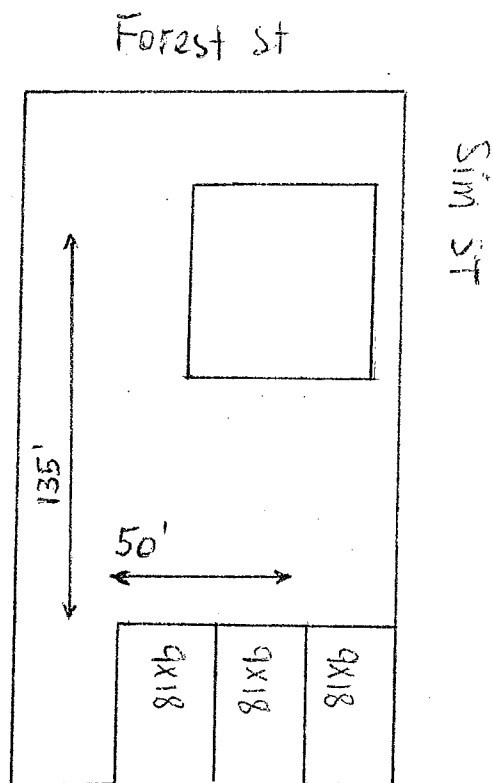


724 Forest Unit 2

Floor Plan unit 2

924 Forest St  
St Paul, mn 55106

Site Plan for Parking



SUMMARY INFORMATION SHEET.  
FOR DUPLEX AND TRIPLEX COVERSON CASES

Property number:

Housing unit breakdown:	Existing	Proposed
Number of units	2	2
Number of bedrooms in each unit		
Unit 1	3	3
Unit 2	3	3
Unit 3		
Size of each unit in square feet		
Unit 1	1200	1200
Unit 2	1400	1400
Unit 3		
Debt:		
Initial principal amount		
Initial interest rate		
Term of mortgage/debt financing		
Time remaining on note		
Balance on existing debt		
Rehabilitation		
Type of Improvements:		
Plumbing, heating and electrical		
up to code.		

**PRO FORMA INFORMATION SHEET  
FOR DUPLEX AND TRIPLEX CONVERSION CASES**

**Continuation of Extra Units**

**SINGLE FAMILY**

**DUPLEX 7**

~~for Duplex~~ ↓

Required information	With Continuation of Extra Units in Structure	With Conversion of Structure to Legal Number of Units
<u>Income</u>		
Total monthly rent income for all units	1,600	1,000
Monthly income from structure other than rent		
Existing vacancy (if any)		
Effective gross income (EGI) / month <sup>1</sup>	\$ 1,600	\$ 1,000
<u>Effective Gross Income / year</u>	\$ 19,200	\$ 12,000
<u>Operating Expenses (Annual) <sup>2</sup></u>	\$	\$
Maintenance	1,000	1,000
Insurance	1,500	1,500
Utilities (only include amount paid by landlord)	1,440	1,440
Other (identify)		
Taxes	2,000	2,000
<u>Net Operating Income (Annual) <sup>3</sup></u>	\$ 13,260	\$ 6,060
Monthly debt / mortgage payment		
<u>Annual debt payment</u>	\$	\$
<u>Rehab projects</u>		
Total cost of improvements		
Monthly rehab debt payment		
<u>Annual rehab debt payment</u>	\$	\$
<u>Cash Flow: profit, (loss) <sup>4</sup></u>	\$ 13,260	\$ 6,060

NOTE: 1. Effective Gross Income = (Total rent income) - (Vacancy, if there is any)

2. Operating expenses are the sum of the next five lines, incl maintenance, insurance, utilities, taxes and others

3. Net Operating Income = (Effective Gross Income) - (Operating Expenses)

4. Cash Flow = (Net Operating Income) - (Annual debt payment)

ZONING PETITION SUFFICIENCY CHECK SHEET

REZONING

SCUP

NCUP

FIRST SUBMITTED

RESUBMITTED

DATE PETITION SUBMITTED: 4-6-10

DATE PETITION RESUBMITTED: 4/26/10

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

DATE OFFICIALLY RECEIVED: \_\_\_\_\_

PARCELS ELIGIBLE: 10

PARCELS ELIGIBLE: 10

PARCELS REQUIRED: 7

PARCELS REQUIRED: 7

PARCELS SIGNED: 6

PARCELS SIGNED: 7

CHECKED BY: Paul Dubruiel

DATE: 4-13-10

Paul Dubruiel

4-29-10

**STAMP Property Activity History**

<u>Address</u>	<u>In Date</u>	<u>ID #</u>	<u>Status</u>	<u>Type</u>	<u>Description</u>
924 Forest St	4/27/2010	<u>10 314094</u>	Pending	PC - Planning Commission Cases - Nonconforming Use Permit-Reestablishment - Duplex	Applicant: Yee Fang - Re-establishment of nonconforming use as a duplex
924 Forest St	4/16/2010	<u>10 307342</u>	Open	GT - General Activity Tracking - Zoning	Return of application for Re-establishment of Nonconforming Use
924 Forest St	4/15/2010	<u>10 247212</u>	Open	RE - Real Estate Assessments	Owner: Yee Fang
924 Forest St Fl 1	4/15/2010	<u>10 247212</u>	Open	RE - Real Estate Assessments	Owner: Yee Fang
924 Forest St Fl 2	4/15/2010	<u>10 247212</u>	Open	RE - Real Estate Assessments	Owner: Yee Fang
924 Forest St	2/26/2010	<u>10 113434</u>	Resolved	CS - CSO Complaint - Snow Walk - Complaint	Snow Walk
924 Forest St	12/30/2009	<u>09 521171</u>	Resolved	CS - CSO Complaint - Snow Walk - Complaint	Snow Walk
924 Forest St	8/25/2009	<u>09 259691</u>	Resolved	CS - CSO Complaint - Tall Grass - Complaint	TGW
924 Forest St	1/27/2009	<u>09 016389</u>	Closed	PA - Parks Summary Abatement - Snow Ice	Owner: Deutsche Bank Nat Trust Co - Remove snow and ice from public sidewalk full width, salt and sand as needed.
924 Forest St	1/16/2009	<u>09 010765</u>	Resolved	CS - CSO Complaint - Snow Walk - Complaint	snow walk
924 Forest St	1/2/2009	<u>09 000545</u>	Closed	PA - Parks Summary Abatement - Snow Ice	Owner: R And J Enterprises Trustee/Forest 24 Trust - Remove snow and ice from public sidewalk full width, salt and sand as needed.
924 Forest St	9/29/2008	<u>08 157105</u>	Closed	PA - Parks Summary Abatement - Garbage Rubbish	Owner: R And J Enterprises Trustee/Forest 24 Trust - Remove all discarded furniture, scrapwood, metal, bags, and boxes.
924 Forest St	9/29/2008	<u>08 157106</u>	Closed	PA - Parks Summary Abatement - Tall Grass	Owner: R And J Enterprises Trustee/Forest 24 Trust - Tall Grass and weeds on the property
924 Forest St	8/8/2008	<u>08 129292</u>	Closed	PA - Parks Summary Abatement - Tall Grass	Owner: R And J Enterprises Trustee/Forest 24 Trust - Tall Grass and weeds on the property
924 Forest St	8/4/2008	<u>08 125660</u>	Resolved	CS - CSO Complaint - Tall Grass - Complaint	TGW 331
924 Forest St	6/16/2008	<u>08 094207</u>	Closed	PA - Parks Summary Abatement - Garbage Rubbish	Owner: R And J Enterprises Trustee/Forest 24 Trust - Remove all discarded furniture, scrap wood, metal etc.
924 Forest St	6/16/2008	<u>08 094208</u>	Closed	PA - Parks Summary Abatement - Tall Grass	Owner: R And J Enterprises Trustee/Forest 24 Trust - Tall Grass and weeds on the property

**STAMP Property Activity History**

<b>Address</b>	<b>In Date</b>	<b>ID #</b>	<b>Status</b>	<b>Type</b>	<b>Description</b>
924 Forest St	6/9/2008	08 089958	Inspected	VB - Vacant Building - Category 2 - Duplex	Stated Owner: MN Reo Property Maintenance - VB Monitoring Owner to convert to SFD, present use is Duplex. KE 2-18-10
924 Forest St	6/9/2008	08 089959	Open	VF - Vacant Building Fee - Category 2 - Duplex	Owner: Yee Fang - VB Fee
924 Forest St	6/9/2008	08 089888	Under Review	CS - CSO Complaint - Vacant Building Monitoring - Complaint	VB Monitoring 09/16/2008 Dumping at rear. 9/22/08 the dump is on Duchess side - There is a large and growing mound of trash, old furniture and debris 11-18-08 SPRW Shut Off List 11-06-08 thru 11-12-08
924 Forest St	6/2/2008	08 085520	Closed	RF - Referral - Citizen Complaint	Owner: R And J Enterprises Trustee/Forest 24 Trust - 06-02-08 Xcel Shut off list for Gas and/or Electric for unit 1
924 Forest St	6/2/2008	08 085519	Transferred - Closed	CS - CSO Complaint - Shut Off - Complaint	06-02-08 Xcel Shut off list for Gas and/or Electric for unit 1
924 Forest St	7/24/2007	07 120708	Resolved	CS - CSO Complaint - Exterior - Complaint	trash in driveway (face on Duchess St.), doesn't know if they have a hauler, on going problem.
924 Forest St	6/21/2007	07 100029	Closed	CS - CSO Complaint - Exterior - Complaint	Overflowing garbage in the rear. 7/9/07: Per Excel Energy: Gas and/or Electric service shut off.
924 Forest St	5/15/2007	07 078398	Closed	PA - Parks Summary Abatement - Garbage Rubbish	Owner: Melvin Robinson/Trenece Jones - Remove, tire, wood, branches shopping cart, loose scattered debris, bag of garbage, anything outside containers-
924 Forest St	5/15/2007	07 078399	Closed	PA - Parks Summary Abatement - Tall Grass	Owner: Melvin Robinson/Trenece Jones - Cut Tall Grass and weeds throughout
924 Forest St	5/1/2007	07 070565	Revoked/Vacant	CO - Certificate of Occupancy - Residential 1 Unit	Responsible Party: Melvin Robinson Trenece Jones
925 Forest St Fl 1	5/1/2007	07 070565	Revoked/Vacant	CO - Certificate of Occupancy - Residential 1 Unit	Responsible Party: Melvin Robinson Trenece Jones
925 Forest St Fl 2	5/1/2007	07 070565	Revoked/Vacant	CO - Certificate of Occupancy - Residential 1 Unit	Responsible Party: Melvin Robinson Trenece Jones



**STAMP Property Activity History**

<u>Address</u>	<u>In Date</u>	<u>ID #</u>	<u>Status</u>	<u>Type</u>	<u>Description</u>
924 Forest St	4/20/2007	07 065298	Closed	CS - CSO Complaint - Exterior - Complaint	Garbage/Rubbish.
924 Forest St	3/3/2007	07 037825	History	CO - Certificate of Occupancy - Residential	Responsible Party: Melvin Robinson Trenece Jones
926 Forest St Fl 1	3/3/2007	07 037825	History	CO - Certificate of Occupancy - Residential	Responsible Party: Melvin Robinson Trenece Jones
926 Forest St Fl 2	3/3/2007	07 037825	History	CO - Certificate of Occupancy - Residential	Responsible Party: Melvin Robinson Trenece Jones
924 Forest St	12/15/2006	06 287241	History	TH - Truth In Sale of Housing Inspection - Duplex	Evaluator: Scott Scheunemann Scheunemann Home Services, Inc
924 Forest St	12/4/2006	06 280491	Closed	CS - CSO Complaint - Exterior - Complaint	Pile of trash in rear of property.
924 Forest St	10/12/2006	06 243456	Closed	CS - CSO Complaint - Interior - Complaint	10-12-06 Gas and/or Electric shut off 09-22-06 as
924 Forest St	5/2/2005	05 096068	Finalized	E - Electrical Permit - Service & Circuits - Residential Repair/Alter	Contractor: Bunton Electric
924 Forest St	11/4/2004	04 187501	Closed	CS - CSO Complaint - Exterior - Complaint	GARBAGE/RUBBISH
924 Forest St	4/8/2004	04 068727	History	TH - Truth In Sale of Housing Inspection - Duplex	Evaluator: Richard Olson DANRICH Inspection Services
924 Forest St	1/29/2004	04 036529	Closed	CF - CSO Information Request - Information - Phone	Vehicles in driveway w/ expired tabs; one of them is an RV type vehicle
924 Forest St	1/28/2004	04 035970	Closed	CS - CSO Complaint - Parking FYI - No Response Required	Vehicles in drive w/expired tabs; neighbors want removed. One maybe RV vehicle.
924 Forest St	1/15/2004	04 023935	History	RR - Rental Registration - Duplex	RR Stated Owner: Ann Marie Reed - 03/03/2007: RR-CO Conversion: Folder status changed to History.
924 Forest St	10/24/2003	03 381686	Closed	CS - CSO Complaint - Exterior - Complaint	Discarded items, garbage/trash

STAMP Property Activity History

Address	In Date	ID #	Status	Type	Description
924 Forest St	10/24/2003	03 381679	Closed	CS - CSO Complaint - Zoning - Complaint	Trailer on property used for living quarters
924 Forest St	1/3/2002	02 067042	Closed without Approval	B - Building Permit - 2-Family/Duplex - Repair	Contractor: Gierlsen Company Of Minnesota Inc - The following "Trade" Permits are required for this project: Electrical, . Closed without final approval
924 Forest St	11/26/2001	01 237104	Finald	VB - Vacant Building - Category 1 - Duplex	Stated Owner: Donald W Folske
924 Forest St	11/21/2001	01 236794	Finald	E - Electrical Permit - Service & Circuits - Residential Repair/Alter	Contractor: Brite Lite Electric CO
924 Forest St	11/15/2001	01 235689	Closed	CS - CSO Complaint - Vacant Building Monitoring - Complaint	Vacant Building Monitoring
924 Forest St	9/8/2001	02 212820	History	TH - Truth In Sale of Housing Inspection - Single Family Dwelling	Evaluator: Vicki Scheunemann Scheunemann Home Inspections
924 Forest St	8/28/1998	98 147301	Closed without Approval	E - Electrical Permit - Electrical - Residential Repair/Alter	Contractor: Thomas Shock Shock Electric Inc - Closed without final approval
924 Forest St	1/29/1998	98 103132	Closed without Approval	PL - Plumbing & Gas Fitting (OLD) - Plumbing (ALL) - Residential Repair/Alter	Contractor: David Smith St Paul Plbg & Htg CO - Closed without final approval



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220  
St Paul, Minnesota 55101-1806

Telephone: 651-266-9090  
Facsimile: 651-266-9099  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

## Code Compliance Report

March 19, 2009

MN REO PROPERTY MAINTENANCE  
8937 AZTEC DRIVE  
EDEN PRAIRIE MN. 55347

Re: 924 Forest St  
File#: 08 089958 VB2

Dear Property Owner:

The following is the Code Compliance report you requested on February 26, 2009.

Please be advised that this report is accurate and correct as of the date March 03, 2009. All deficiencies identified by the City after this date must also be corrected and all codes and ordinances must be complied with. This report is valid for 365 days from March 03, 2009. This report may be used in lieu of a Truth in Housing Report required in St Paul Legislative Code 189. This building must be properly secured and the property maintained at all times.

In order to sell or reoccupy this property the following deficiencies must be corrected:

### **BUILDING**

1. Remove ceiling in first floor kitchen and install one hour fire rated assembly between units.
2. No access to basement install code approved stairs in new location.
3. The second floor northwest corner bedroom install window that meets egress requirements.
4. Insure basement cellar floor is even, is cleanable, and all holes are filled.
5. Install handrails and guardrails at all stairways, including basement stairways, per attachment.
6. Strap or support top of stair stringers.
7. Install plinth blocks under posts in basement as needed.
8. Tuck Point interior/exterior of foundation.
9. Maintain one-hour fire-separation between dwelling units and between units and common areas.
10. Install 20-minute fire-rated doors, with self-closing device, between common areas and individual units.
11. Install tempered or safety glass in window over stair landing to Code.
12. Install tempered or safety glass in window over bathtub to Code.
13. Provide thumb type dead bolts for all entry doors. Remove any surface bolts.

## **BUILDING**

14. Repair or replace any deteriorated window sash, broken glass, sash holders, re-putty etc. as necessary.
15. Provide complete storms and screens, in good repair, for all door and window openings.
16. Repair walls, ceilings and floors throughout, as necessary.
17. Provide fire block construction as necessary.
18. Prepare and paint interior and exterior as necessary. Observe necessary abatement procedure if lead base paint is present (See St. Paul Legislative Code, Chap. 34 for additional information).
19. Any framing members that do not meet code (where wall and ceiling covering is removed, members that are over-spanned, over-spaced, not being carried properly, door and window openings that are not headered, etc.) are to be reconstructed as per code.
20. Provide general clean-up of premise.
21. Provide smoke detectors per the Minnesota Building Code and carbon monoxide detectors per State law.
22. Repair siding, soffit, fascia, trim, etc. as necessary.
23. Provide weather-sealed, air-sealed, and vermin-sealed exterior.
24. Provide proper drainage around house to direct water away from foundation.
25. Maintain 6 inches minimum clearance between wood and soil, sloped to drain away from foundation.
26. Install downspouts and a complete gutter system on north side of house.
27. Install rain leaders to direct drainage away from the foundation.
28. Weather-seal exterior doors.
29. Dry out basement and eliminate source of moisture.
30. Provide durable, dustless parking surface as specified in the zoning code.

## **ELECTRICAL**

1. **Note:** Inspector did not have proper access to the basement.
2. Bond around water meter with a copper wire sized for the electrical service per Article 250 of the NEC
3. Provide a complete circuit directory at service panel indicating location and use of all circuits
4. Verify/install a separate 20 ampere laundry circuit & a separate 20 ampere kitchen appliance circuit
5. Verify that fuse/circuit breaker amperage matches wire size
6. Properly strap cables and conduits in basement/ service conduit on the exterior of the house
7. Provide one (1) light for each 200 square feet in unfinished basement. One light must be switched from the top of the stairs
8. Remove all cord wiring
9. Repair or replace all broken, missing or loose light fixtures, switches & outlets, covers and plates
10. Check all outlets for proper polarity and verify ground on 3-prong outlets.
11. Remove any 3-wire ungrounded outlets and replace with 2-wire or ground 3-wire to code

## **ELECTRICAL**

12. Throughout building, install outlets and light fixtures as specified in Bulletin 80-1
13. Install hard-wired, battery backup smoke detector as specified in Bulletin 80-1 and other smoke detectors as required by the IRC. Also, Install carbon monoxide detector(s) within 10 feet of all bedrooms.
14. Remove and/or rewire all illegal, improper or hazardous wiring in basement
15. Duplex: Check Building write-up for fire resistance requirements if both panels are in the common area in a basement or move 2<sup>nd</sup> unit electrical panelboard to the second unit.
16. *All added receptacles must be grounded, tamper-resistant and be on an Arc-Fault Circuit Interrupter-protected circuit.*
17. *All electrical work must be done by a Minnesota- licensed electrical contractor under an electrical permit.*
18. *Any open walls or walls that are opened as part of this project must be wired to the standards of the 2008 NEC.*
19. *All buildings on the property must meet the St. Paul Property Maintenance Code (Bulletin 80-1).*
20. Properly mount baseboard heater.
21. Properly run/remove illegal romex in kitchen.

## **PLUMBING**

All plumbing work requires permit(s) and must be done by a plumbing contractor licensed in Saint Paul.

### **Basement**

#### **Water Heaters on First and Second Floor:**

Temperature and pressure relief discharge piping is incorrect

No gas shutoff or gas piping is incorrect

Gas venting is incorrect

Vent must be in chimney liner

Water piping is incorrect.

Not fired or in service.

#### **Water Meter:**

Meter is removed and not in service.

#### **Water Piping:**

Repair or replace all corroded, broken or leaking water piping.

Water pipe sizing is incorrect.

#### **Soil and Waste piping:**

No front sewer cleanout and no soil stack base cleanout.

Improper pipe supports, connections, transitions, fittings or pipe usage.

Replace corroded cast iron or steel waste piping.

The second floor bathroom fixtures tie into first floor plumbing vent, must correct to code.

### **First Floor**

The lavatory waste is incorrect and un-vented.

The bathtub waste and water piping is incorrect and incorrectly vented.

## **PLUMBING**

### **Second Floor**

- The kitchen sink waste is incorrect and un-vented.
- The lavatory waste is incorrect and incorrectly vented.
- The bathtub waste is incorrect and incorrectly vented.
- The range gas shutoff, connector or gas piping is incorrect.

### **Exterior**

- The lawn hydrant(s) requires backflow assembly or device.

## **HEATING**

1. Install approved lever handle manual gas shutoff valve on first floor wall furnace.
2. Install approved lever handle manual building shutoff gas valve in an accessible location ahead of the first branch tee in each dwelling unit.
3. Clean and Orsat test second floor furnace and first floor wall furnace burners. Check all controls for proper operation. Check furnace heat exchangers for leaks; provide documentation from a licensed contractor that the heating units are safe.
4. Provide thirty (30) inches of clearance in front of second floor furnace for service.
5. Replace second floor furnace venting to manufacturer's installation instructions.
6. Provide adequate clearance from flue vent pipe on first floor furnace to combustible materials or provide approved shielding according to code.
7. Vent clothes dryer to code.
8. Provide adequate combustion air and support duct to code.
9. Provide support for gas lines to code.
10. Plug, cap and/or remove all disconnected gas lines.
11. Install furnace air filter access cover.
12. Clean all supply and return ducts for warm air heating system.
13. Repair and/or replace heating registers as necessary.
14. Re-pipe condensate drain on second floor furnace according to manufacturer's instructions.
15. Verify gas piping to second floor furnace is adequately sized.
16. Provide heat in every habitable room and bathrooms.
17. There was no access to basement and attic at time of inspection. If there is mechanical equipment, duct work, etc. in these areas they must be brought up to code.
18. A gas mechanical permit is required and possibly a warm air permit for the above work.

## **ZONING**

1. This house was inspected as a duplex.

Re: 924 Forest St  
Page 5

**NOTES**

See attachment for permit requirements and appeals procedure.

Roof, sidewalks, etc. snow covered and could not be inspected. All must meet appropriate codes when completed.

**This is a registered vacant building. In order to sell or reoccupy this building, all deficiencies listed on this code compliance report must be corrected within six (6) months of the date of this report. One (1) six-month time extension may be requested by the owner and will be considered if it can be shown that the code compliance work is proceeding and is more than fifty (50) percent complete in accordance with Legislative Code Section 33.03(f).**

You may file an appeal to this notice by contacting the City Clerk's Office at 651-266-8688. Any appeal must be made in writing within 10 days of this notice. (You must submit a copy of this notice when you appeal, and pay a filing fee.)

If you have any questions regarding this inspection report, please contact Jim Seeger between 7:30 – 9:00 AM at 651-266-8989 or leave a voice mail message.

Sincerely,

James L. Seeger  
Code Compliance Officer  
JLS:ml  
Attachments

Department of Safety and Inspections  
**VACANT BUILDING REGISTRATION FORM**

Date:

Address of Property:

924 Forest St. St. Paul, MN

Planned disposition of this building (please check one):

☒ I plan to rehabilitate this structure commencing (date):

2-28-10

☐ I plan to demolish (wreck and remove) this building by (date):

☐ I am willing to authorize the City of Saint Paul to demolish and remove this building(s).

☐ This building is vacant as a result of fire damage. The fire occurred on (date) . I, as the property owner, want to claim registration and fee exemption status for ninety (90) days from the date of the fire. I intend to repair and reoccupy the building.

Other:

Persons who will be responsible for compliance with the requirements of ordinance:

NAME

ADDRESS

HOME NO.

WORK NO.

Yee Fang

651-335-8664

Persons, lien holders, mortgagees, mortgagors and other interested parties known to me:

NAME

ADDRESS

HOME NO.

WORK NO.

Yee Fang	
Print Your Name (legibly)	
Signature	Date of Birth
Yee Fang	
957 Leane Ave	
Address	
St. Paul	MN 55106
City	State Zip
651-335-8664	
main contact telephone	alternate phone
Email address	

**INSTRUCTIONS:**

Complete and return this form with your VB registration fee payment of \$1,100.00.

Make checks payable to: City of Saint Paul

Credit cards are accepted

Make Payment at, or mail payment to:

City of Saint Paul  
Department of Safety and Inspections  
Code Enforcement - Vacant Buildings  
375 Jackson Street, Suite 220  
St. Paul, MN 55101-1806

Thank you for your cooperation





CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220  
St Paul, Minnesota 55101-1024

Telephone: 651-266-9090  
Facsimile: 651-266-9099  
Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

## Residential Use Affidavit

I, (Printed Name) Yee Fung, the undersigned, certify that I own the residence at (address) 924 Forest St. in St. Paul, MN.

I purchased this property in (year) 2010 as a (Single Family with one kitchen or Duplex with two kitchens). Single Family with one Kitchen  
Other \_\_\_\_\_

This property has been converted to a (Single family with one kitchen or Duplex with two kitchens) Single Family

This property has been used since purchase as a (Single family or Duplex) Single Family

Yee Fung  
Signature (Homeowner)

2-10-10  
Date

### Zoning Information

(To be filled in by zoning staff only)

Property zoning R4

AMANDA status \_\_\_\_\_

Truth in Housing Info \_\_\_\_\_

Certificate of Occupancy \_\_\_\_\_

History Check \_\_\_\_\_

Address Folder \_\_\_\_\_

Ramsey County \_\_\_\_\_

Action taken Property is currently a duplex, per Tom Seeger - he will verify deconversion to a SPD during field inspection.

Zoning Staff Karen Zacho Date 2.17.10

**From:** Tom Ferrara  
**To:** y2k2000family@yahoo.com  
**CC:** Hawkins, Jeff; Soley, Reid  
**Date:** 3/31/2010 4:43 PM  
**Subject:** 924 Forest Ave - EFV Extension 10598020006.DOC  
**Attachments:** 10598020006.DOC

YEE FANG  
957 REANEY AVE  
ST PAUL MN 55106  
[y2k2000family@yahoo.com](mailto:y2k2000family@yahoo.com) ( <mailto:y2k2000family@yahoo.com> )

RE: 924 Forest Ave / March 29, 2010 Summary Abatement Order

Your extension request has been granted and the compliance deadline for the above referenced order has been extended to 4/16/10. Therefore, a complete application to reestablish a legal-nonconforming duplex use there must be submitted to the Planning Commission and/or the property brought into compliance as originally ordered (requirement pasted below) prior to 4/16/10. If this property is not brought into compliance, a work order for the City and/or its representatives to install an EFV will be placed without further notice given to you. However, please note that you may be bound to renovating the property as a single family dwelling, per the Zoning-Residential Use affidavit you signed 2/10/10 stating the property was to be converted to single family use and the 2/17/10 sale approval granted partly upon the receipt/requirement of that affidavit.

3/29/10 Order Text

**Shut off the gas and water services at the above referenced property or install an excess gas flow valve (EFV) after each gas meter serving the building(s) in order to decrease the risk of fire, explosion or related dangerous conditions.**

**If you do not correct the nuisance or file an appeal before April 9, 2010, the City will correct the nuisance and charge all costs, including boarding costs, against the property as a special assessment to be collected in the same way as property taxes.**

**If the City corrects the nuisance, the charges will include the cost of correction, inspection, travel time, equipment, etc. The rate will be approximately \$260.00 per hour, plus expenses for abatement and a minimum of \$375.00 per excess flow valve installed.**

Thank You

Thomas Ferrara  
City of Saint Paul,  
Department of Safety & Inspections  
(651) 266-9087  
Fax (651) 266-1919  
[tom.ferrara@ci.stpaul.mn.us](mailto:tom.ferrara@ci.stpaul.mn.us)



CITY OF SAINT PAUL  
Christopher B. Coleman, Mayor

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Web: [www.stpaul.gov/dsi](http://www.stpaul.gov/dsi)

February 17, 2010

Yee Fang  
957 Reaney Ave  
St Paul MN 55106

Re: 924 FOREST ST

Chapter 33 of the Saint Paul Legislative Code restricts the sale of Category II Registered Vacant Buildings. Sale of the above referenced address to Yee Fang is approved based on the City's review of the following requirements:

1. Application Fee Paid.
2. Zoning Status Approved.
3. Registration of Ownership Updated.
4. Vacant Building Fees Current.
5. Code Compliance Inspection Report Issued.
6. Cost Estimates from Licensed Contractors for Code Compliance Work Submitted.
7. Schedule for Completion of Code Compliance Work Submitted.
8. Proof of Financial Capability Verified.

If you have any questions regarding this matter, you may contact me at 651-266-9120.

Sincerely,

Reid Soley  
CSO CE Staff

vb33sale60201 12/09

**Luis Pereira - ZF #10-314-094: 924 Forest**

---

**From:** Luis Pereira  
**To:** seatanf@yahoo.com  
**Subject:** ZF #10-314-094: 924 Forest

---

Hi Chao,

Here are the required findings that I need to make in my staff report. The one that I was having the most trouble with is the following requirement:

*(1) The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose (Single Family Use).*

This is where some additional information would be helpful about the cost difference between fixing the property up as a duplex versus converting it to a single family use and fixing it up.

Here are all the findings, for your reference. At this point, these findings can be made, from my perspective:

2. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
  - (1) The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.*
  - (2) The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.*
  - (3) The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.*
  - (4) The proposed use is consistent with the comprehensive plan.*
  - (5) A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use.*
3. The Planning Commission has established guidelines for applications to establish legal nonconforming use status for duplexes. While not themselves requirements, these guidelines lay out additional more objective factors the Planning Commission wishes to consider in determining if the required findings for granting nonconforming use permits listed in §62.109 of the Zoning Code can be made. The Planning Commission's Duplex Conversion Guidelines state that for applications for nonconforming use permits for duplexes in residential districts, staff will recommend denial unless the following guidelines are met:
  - A. Lot size of at least 5,000 square feet with a lot width or front footage of 40 feet.
  - B. Gross living area, after completion of duplex conversion, of at least 1,500 square feet.
  - C. Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum.
  - D. All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle.)
  - E. For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring

the entire structure into building and fire code compliance within the time specified in the resolution.

Fax 651-770-1680

Thanks,

Luis

Chao → see next page. Can a cost for "rehab projects" and "Annual rehab debt payment" be estimated for both ~~sets~~ Single Family use versus Duplex use?

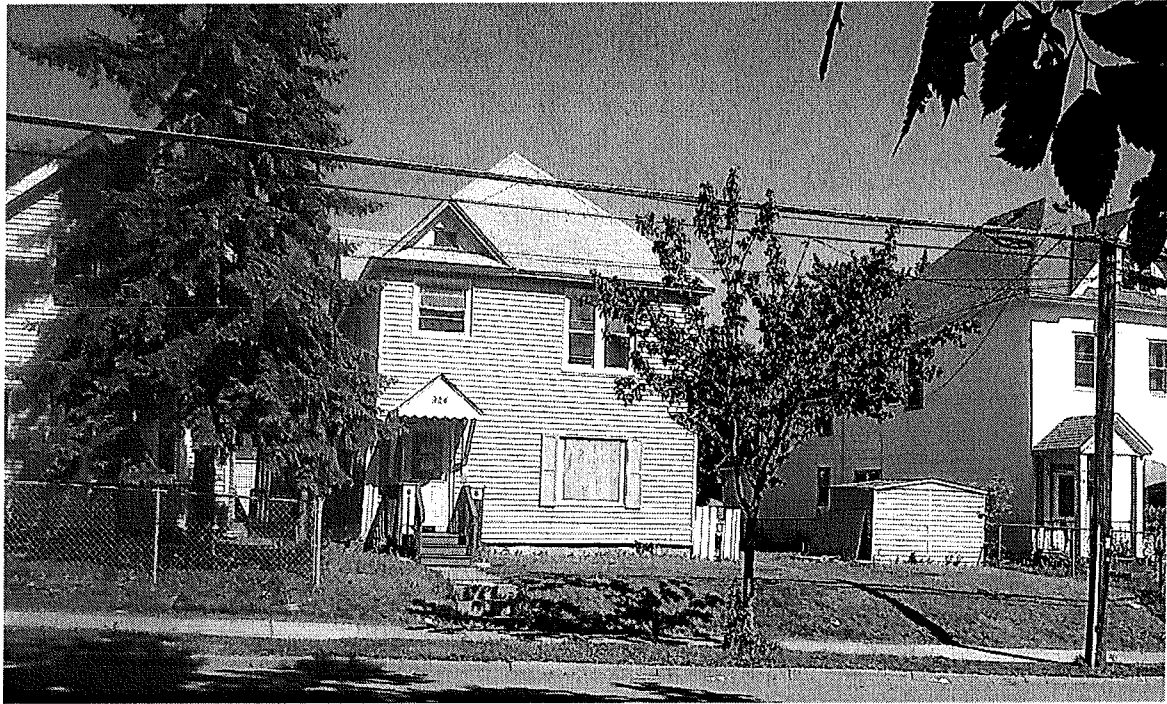
Thanks,

Luis

266-6591 (phone)

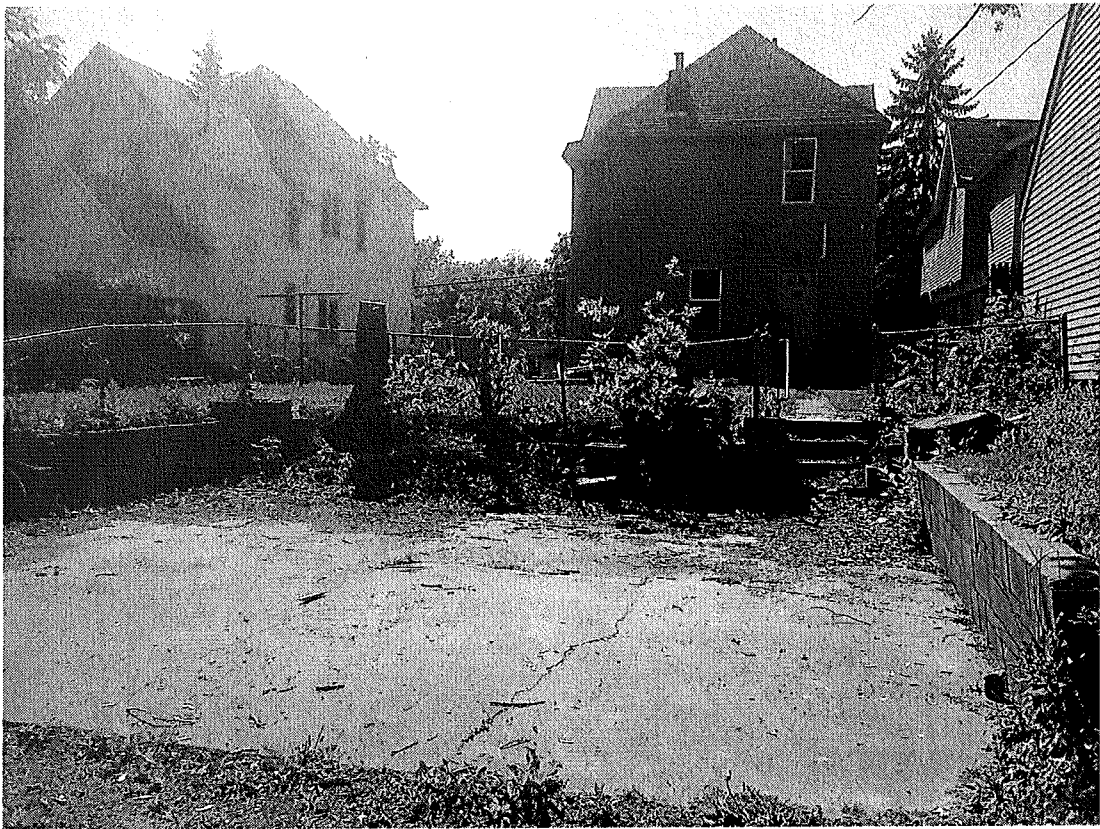
luis.pereira@ci.stpaul.mn.us

**Fig. 1.** Eastern view of  
924 Forest St



**Fig. 2.** Southeast view of  
properties to the south of 924  
Forest St.


**Fig. 3.** Western view of the rear of 924 Forest St; existing two-car parking area



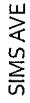
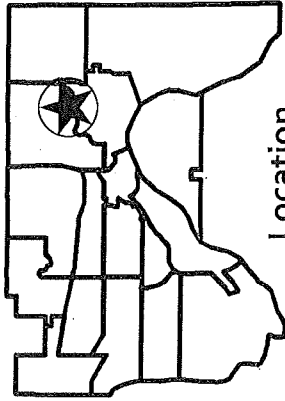
**Fig. 4.** Northwestern view of the rear of 924 Forest St; area adjacent to two-car parking area



Location

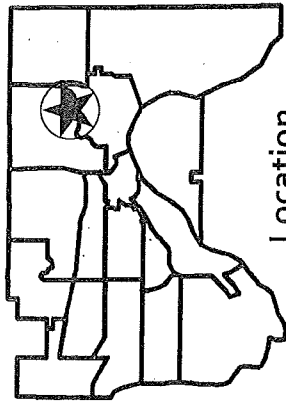


924 Forest St

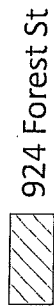




# Existing Land Use



Location



924 Forest St

